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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

March 5, 2013

Ella Moore
Moore Kantola Nielsen Lake Property
2731 204th Avenue SE
Sammamish, WA 98075

Re: Water Right Application No. S4-35522

Dear Ella Moore:

Enclosed is a copy of the Department of Ecology's *Report of Examination*. This report contains our decision regarding your application.

Your application has been approved.

To protect your water right, you should continue to put the water to full beneficial use. During development of your project, you may use the water for the original purpose, the newly approved purpose, or a combination of both.

If you have any questions or for other options to protect your water right, please contact Teresa Mitchell at 509-575-2597.

Sincerely,

Mark Kemner, LHG, Section Manager
Water Resources Program/CRO

MK:aa
130306

Enclosures: Report of Examination
Focus on Water Right Relinquishment
Your Right to Be heard
Water Measurement Requirements & Form 1
Advisory Letter

By certified mail: 70100290000071314027

cc: Philip Rigdon, Yakima Nation
James Rivard, Kittitas County Health Dept.
William Ferry, USBR

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CERTIFIED MAIL™ RECEIPT
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Sent To Ella Moore S4-35522
Street, Apt. No.; 3/6/13
or PO Box No.
City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**ELLA MOORE
MOORE KANTOLA NIELSEN LAKE PROPERTY
2731 204TH AVE SE
SAMMAMISH WA 98075
WR/ss ROE S4-35522 3/6/13**

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature Ella Moore ☐ Agent ☒ Addressee

B. Received by (Printed Name) ELLA MOORE

C. Date of Delivery 3-8-13

D. Is delivery address different from item 1? ☐ Yes ☒ No
If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

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PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540



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DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

March 5, 2013

William Ferry, USBR
Columbia-Cascades Area Office
1917 March Rd
Yakima WA 98901-2058

Re: Assignment of Lake Kachess Water Users to USBR-Ecology Contract

Dear Mr. Ferry:

Enclosed are 17 proposed assignments of a portion of Certificate of Trust Water No. S4-01746CTCLsb10(b) to the USBR-Ecology Exchange Contract (Contract No. 09XX101700).

These assignments are for cabins on Lake Kachess. This project was discussed with the Water Transfer Working Group on August 30th, 2010. Ecology described how a portion of Jerry Williams' surface water right on Schnebly Creek (tributary to Naneum and Wilson Creeks) would be transferred to trust to mitigate for cabins on Lake Kachess. Their consumptive use from September 1 to March 31 is being assigned to the contract.

If you have specific questions about this project please contact Kelsey Collins at (509) 575-2640 or call me at (509) 454-4258.

Sincerely,

Mark Kemner, LHG
Section Manager
Water Resources Program/CRO

MK:KC:ss
130319

Enclosures: Proposed Assignments (Exchange Contracts) and Reports of Examination for Water Right Nos.:

S4-35377	G4-35401	S4-35528	S4-35520	S4-35518
S4-35522	S4-35521	S4-35375	S4-35379	S4-35409
S4-35382	S4-35535	S4-35378	S4-35381	S4-35348
S4-35403	S4-35402	S4-35380		

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Exchange Contract Assignment

Ella Moore (Williams Bank)

Request No. S4-35522

The Department of Ecology (Ecology) has determined the use of surface water described below will be water budget neutral with respect to Total Water Supply Available (TWSA). The reach of the Yakima River affected by the appropriation can be mitigated by release of stored water from a U.S. Bureau of Reclamation (USBR) storage facility upstream from the affected reach. Supplemental consultation under Endangered Species Act (ESA) is, therefore, not required pursuant to Article 18.b of the contract.

1. The surface water use that will be offset by mitigation is for domestic supply. The use of water will be located within Parcel 532736, Lake Kachess Summer Home Sites; 0.55 acres, TT A-3, within NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, T. 21 N., R. 13 E.W.M.. The consumptive water use will be 0.03 acre-feet for seasonal indoor use.
2. The mitigation is Certificate of Trust Water No. S4-01746CTCLsb10(b) placed into the Trust Water Right Program by Jerald Williams and the Williams Family Trust.
3. Ecology assigns 0.005 acre-feet of Trust Water Right Certificate to the USBR-Ecology Exchange Contract (Contract No. 09XX101700). The term of the assignment is from January 29, 2013 to January 29, 2049.
4. The total payment for 36 years, based on the rate of \$22/ac-ft/yr in Article 15.a, is \$3.96.